

**From:** Phillip Goble [pgoble@utah.gov]  
**Sent:** Thursday, December 12, 2013 10:26 AM  
**To:** Brown, Terry  
**Cc:** Otis Willoughby Iii; John Hultquist  
**Subject:** Re: FW: CERCLA Offsite Rule Determination

**Categories:** Record Saved - Shared

Mr. Brown,

Yes. Although the approval of the Chloroform Corrective Action Plan is not final, remediation for the project began in August 2005. State of Utah Rule R317-6-615 requires a permittee (Energy Fuels) to take corrective actions if they have contaminated groundwater. The Mill's Ground Water Permit also requires them to do the same. There are 35 wells associated with the Chloroform plume with five of them being pumping wells.

If you have any further questions please let me know.

Phil

On Thu, Dec 12, 2013 at 9:24 AM, Brown, Terry <[Brown.Terry@epa.gov](mailto:Brown.Terry@epa.gov)> wrote:

Hi Phil - Thanks for the quick response. In regards to the Chloroform Plume, is the release "controlled by an enforceable agreement" such that Energy Fuels will be required to take corrective measures to control the release? Thanks.

-Terry

---

**From:** Phillip Goble [mailto:[pgoble@utah.gov](mailto:pgoble@utah.gov)]  
**Sent:** Wednesday, December 11, 2013 4:37 PM  
**To:** Brown, Terry  
**Cc:** Otis Willoughby Iii; John Hultquist  
**Subject:** Re: FW: CERCLA Offsite Rule Determination

Mr. Brown,

John Hultquist asked that I respond to your questions regarding the White Mesa Mill in Blanding, Utah. You will find your questions and my responses below:

1. Is the Energy Fuels Uranium Mill currently in compliance?

This depends on what you mean by "in compliance." If you mean do they have any open Notices of Violation, then yes the Mill is in compliance as there are no open violations. A compliance history for the Mill can be found on our website at: [http://www.radiationcontrol.utah.gov/Uranium\\_Mills/denison/index.htm](http://www.radiationcontrol.utah.gov/Uranium_Mills/denison/index.htm) ; however, I think it is a few months out of date and won't be updated until the first weeks of next year. If you want more information about the violations we have issued them you are welcome to give me

a call.

If you mean are they in violation of their Ground Water Permit due to releases to the groundwater that exceed the Utah Ground Water Quality Standard, then yes they are in out of compliance status. This is further addressed in your second question.

2. Are there any uncontrolled ground-water releases?

There are two groundwater plumes located in the shallow aquifer of the White Mesa Mill.

A chloroform plume was identified in August 1999 and a nitrate + nitrite (as N) plume was identified in April 2008. A corrective action plan has been approved for the Nitrate plume and it is expected that a corrective action plan for Chloroform will be approved early next year.

The remediation strategy for both plumes is pump and treat and pumping began in August 2005. At the present, it is believed the on-site plumes are captured; however, if it is shown that the plumes aren't, the permittee will be required to install additional wells and adjust their pumping system to bring the plume(s) back under control.

If you have any further questions you are welcome to e-mail me or call me at [\(801\) 536-4044](tel:8015364044).

Sincerely,

Phil Goble

LLRW and Uranium Mill Compliance Section Manager

Utah Division of Radiation Control

On Wed, Dec 11, 2013 at 4:03 PM, John Hultquist <[jhultquist@utah.gov](mailto:jhultquist@utah.gov)> wrote:  
FYI

----- Forwarded message -----

From: **Brown, Terry** <[Brown.Terry@epa.gov](mailto:Brown.Terry@epa.gov)>

Date: Wed, Dec 11, 2013 at 3:34 PM

Subject: FW: CERCLA Offsite Rule Determination

To: "[jhultquist@utah.gov](mailto:jhultquist@utah.gov)" <[jhultquist@utah.gov](mailto:jhultquist@utah.gov)>

Cc: "[owilloughby@utah.gov](mailto:owilloughby@utah.gov)" <[owilloughby@utah.gov](mailto:owilloughby@utah.gov)>

Hello Mr. Hultquist - EPA has a program called the CERCLA Off-Site Rule where EPA must check the compliance and ground water release issues of a facility when a Government Agency wishes to use the facility for the treatment, storage or disposal of CERCLA wastes. Mr. William Lyle is inquiring about the CERCLA Off-Site Rule status for the Energy Fuels Uranium Mill near Blanding, Utah.

Otis Willoughby with the DSHW suggested that I send my request for compliance information to you. Please answer the following two questions:

1. Is the Energy Fuels Uranium Mill currently in compliance?

2. Are there any uncontrolled ground-water releases?

Thanks.

Terry Brown  
EPA Region 8  
[303-312-6419](tel:303-312-6419)

---

**From:** Bill Lyle [mailto:[William.Lyle@Newmont.com](mailto:William.Lyle@Newmont.com)]  
**Sent:** Wednesday, December 11, 2013 11:13 AM  
**To:** Brown, Terry  
**Cc:** [lou.miller@wm-env.com](mailto:lou.miller@wm-env.com)  
**Subject:** CERCLA Offsite Rule Determination

Good Morning Mr. Brown:

As we discussed this morning Dawn Mining Company of Ford, WA is looking for a CERCLA off-site rule determination for its Midnite Mine water treatment plant sludge. We are looking for a CERCLA off-site rule determination for the Energy Fuels - White Mesa Uranium Mill located near Blanding, Utah. We would expect to begin shipping sludge the first of April 2014.

Thank you for your assistance,  
William Lyle  
General Manager/Vice President  
Dawn Mining Company, LLC  
[\(509\) 258-4511](tel:509-258-4511)  
[\(303\) 667-4575](tel:303-667-4575)

.

=====

The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the company unless specifically stated.

The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited.

If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Please refer to <http://www.newmont.com/en/disclaimer> for other language versions of this disclaimer.

=====